

DOCKET FILE COPY ORIGINAL

RECEIVED

MAY - 4 1998

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Petition of the Alliance for Public Technology)
Requesting Issuance of Notice of Inquiry and)
Notice of Proposed Rulemaking to Implement) RM 9244
Section 706 of The 1996 Telecommunications Act)

REPLY COMMENTS OF SPRINT CORPORATION

The initial comments on the above-captioned petition of the Alliance for Public Technology predictably follow party lines. APT's petition is supported by those who fund APT and who would benefit from a grant of the petition – the RBOCs, USTA and GTE – and is opposed by competitive segments of the industry: IXC's and competitive local exchange interests. The supporters of APT offer nothing of substance beyond the arguments of APT itself, to which Sprint responded in its initial comments. Sprint will not belabor the Commission with repetitive argument, but does urge the Commission to keep two points foremost in mind as it deliberates on the APT petition.

First, entrenching an existing monopoly, through the wholly premature and unwarranted deregulation of ILEC activities that APT proposes, is no way to bring advanced services to the public. As the checkered history of the pre-divestiture Bell System clearly demonstrates, a monopolist is the least likely entity to respond to market demand for new technology and new service offerings. Instead, it is the competitive

No. of Copies rec'd
List ABCDE

0+4

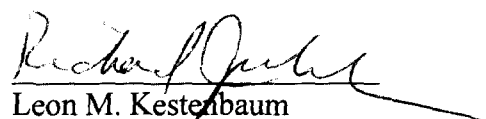
process that is most likely to accelerate deployment of new technologies and develop new products and services that fully exploit the dramatic advances in technology that continue to characterize the telecommunications industry. Premature deregulation of the ILECs can only serve to entrench their existing market power and deter would-be competitors from ever gaining a foothold in the market. Thus, the worst thing the Commission could do, in relation to APT's goal of widespread deployment of advanced technology, is to grant APT's petition.

Second, the supporters of APT fail to supply an effective answer to the missing statutory link in what APT seeks: the use of §706 to forbear from §251(c), notwithstanding that the specific grant of forbearance authority in §10 precludes the Commission from exercising such authority with respect to §251(c) until that section has been "fully implemented." There is no support, other than ipse dixit, for the proposition that the reference to forbearance in §706 constitutes a grant of forbearance authority that is independent of the restrictions in §10. Even if that were true, however, the supporters of APT fail to recognize that any actions taken in §706 must be consistent with the public interest and with the promotion of competition in the local telecommunications market. Congress has indicated its belief, through the restrictions in §10, that it would not be in the public interest to forbear from §251(c) until that section has been fully implemented. And it was through §251(c) that Congress intended to facilitate local competition. Thus, given the current state of competition in the local market, it would be impossible for the Commission to make sustainable findings that forbearance from §251(c) could be

squared either with the public interest or with the promotion of competition in the local market.

Respectfully submitted,

SPRINT CORPORATION

A handwritten signature in dark ink, appearing to read "Leon M. Kestenbaum", is written over the printed name.

Leon M. Kestenbaum

Jay C. Keithley

H. Richard Juhnke

1850 M Street, N.W., 11th Floor

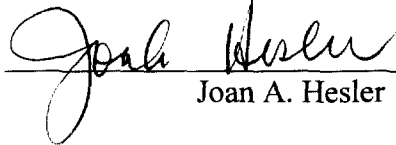
Washington, D.C. 20036

(202) 857-1030

May 4, 1998

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **REPLY COMMENTS OF SPRINT CORPORATION** was Hand Delivered or sent by United States first-class mail, postage prepaid, on this the 4th day of May, 1998 to the below-listed parties:


Joan A. Hesler

Jane Jackson, Chief
Competitive Pricing Division
Common Carrier Bureau
Room 518
Federal Communications Comm.
1919 M Street, N.W.
Washington, D.C. 20554

Maureen Lewis
Barbara O'Connor
Donald Vial
Henry Geller
Alliance for Public Technology
901 15th Street, N.W., Suite 230
Washington, D.C. 20038

International Transcription Svc.
1919 M Street, N.W.
Washington, D.C. 20554

Mary McDermott
Linda Kent
Keith Townsend
Lawrence E. Sarjeant
United States Telephone Association
1401 H Street, N.W.
Washington, D.C. 20005

Richard Metzger
Emily Williams
Association for Local
Telecommunications Services
888 17th Street, N.W., Suite 900
Washington, D.C. 20006

Karen Peltz Strauss
National Association of the Deaf
814 Thayer Avenue
Silver Spring, MD 20910

Kecia Boney
Dale Dixon
Amy Zirkle
Lisa Smith
MCI Telecommunications Corp.
1801 Pennsylvania Ave., N.W.
Washington, D.C. 20006

Anthony Epstein
Jenner & Block
601 Thirteenth Street, N.W.
Washington, D.C. 20005

M. Robert Sutherland
BellSouth Corporation
Suite 1700
1155 Peachtree Street, N.E.
Atlanta, GA 30309

Angela Ledford
Executive Director
Keep America Connected
P.O. Box 27911
Washington, D.C. 20005

Anne K. Bingaman
Douglas W. Kinkoph
LCI International
8180 Greensboro Drive, Suite 800
McLean, VA 22102

Peter A. Rohrbach
Linda Oliver
Hogan & Hartson
555 Thirteenth Street, N.W.
Washington, D.C. 20004

Erik Olbeter
Economic Strategy Institute
1401 H Street, N.W.
Suite 750
Washington, D.C. 20005

Ronald L. Plessner
Mark J. O'Connor
Stuart P. Ingis
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

James D. Ellis
Robert M. Lynch
Durward Dupre
Darryl W. Howard
SBC Communications, Inc.
One Bell Plaza, Room 3703
Dallas, TX 75202

Charles D. Gray
James Bradford Ramsey
National Association of Regulatory
Utility Commissioners
1100 Pennsylvania Ave., N.W.
Post Office Box 684
Washington, D.C. 20044

Mark C. Rosenblum
Ava Kleinman
AT&T
295 North Maple Avenue
Room 3252J1
Basking Ridge, NJ 07920

Catherine R. Sloan
Richard Fruchterman III
Richard S. Whitt
David N. Porter
WorldCom, Inc.
1120 Connecticut Avenue, N.W.
Washington, D.C. 20036

Robert McKenna
U S West Communications
Suite 700
1020 19th Street, N.W.
Washington, D.C. 20036

Frank Michael Panek
Ameritech
Room 4H84
2000 W. Ameritech Ctr. Drive
Hoffman Estates, IL 60196

John F. Raposa
GTE Service Corporation
600 Hidden Ridge, HQE03J27
P.O. Box 152092
Irving, TX 75015

Gail L. Polivy
GTE Service Corporation
1850 M Street, N.W.
Washington, D.C. 20036